

# INFORMATION SHEET

## DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY vs. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: U.S. Army Corps of Engineers, Sacramento District  
FILE NUMBER: 200450472

REGULATORY PROJECT MANAGER: Grady L. McNure DATE: December 22, 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) Y  
At the project site (y/n) Y Date: November 16, 2004

### PROJECT LOCATION INFORMATION:

State: Nevada  
County: Clark  
Center coordinates of site by latitude & longitude coordinates: Latitude 35° 39' 52.8", Longitude 115° 21' 23.3"  
Approximate size of site/property (including uplands & in acres): 6,000  
Name of waterway or watershed: Roach Lake (playa) and ephemeral drainages thereto

### SITE CONDITIONS:

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash					✓				
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake							✓		
Vernal pool									
Natural pond									
Other Water (identify type)									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup>	If Known		If Unknown (Use Best Professional Judgement)		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			✓		
Is or would be used as habitat by other migratory birds that cross state lines?			✓		
Is or would be used as habitat for endangered species?			✓		
Is used to irrigate crops sold in interstate commerce?		✓			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved ✓

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

Information from MACTEC, an environmental consultant for the landowner. Internet searches for information. The area was part of cattle operation in the past. However, evidence indicates that water was trucked in and stored in above ground tanks. Water ponds in the area for very short periods after very infrequent storm events. Average annual rainfall 4 inches. Severe drought conditions have existed for the past several years. However, within only a few days of the site visit (16 Nov 04), considerable rainfall had occurred.